



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

Agency: Agriculture

**Subject of possible rule making:**

The department is considering adopting rules to support Chapter RCW 90.64 the dairy nutrient management act.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 90.64.110 RCW, The dairy nutrient management act and Chapter 34.05 The administrative procedures act."

**Reasons why rules on this subject may be needed and what they might accomplish:**

Establish in rule the process used by this program to determine when environmental penalties are issued for both discharge to waters of the state and lack of recordkeeping as required by a dairy operator's nutrient management plan and how the size of the penalty will be calculated.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

WSDA will provide drafts to the federal Environmental Protection Agency (EPA) and state Department of Ecology (ecology) for their review and comments. WSDA will communicate with EPA and Ecology throughout the rule making process.

**Process for developing new rule (check all that apply):**


- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

Department staff will discuss the proposed rule with affected stakeholders during the development process. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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